

THE WHITE HOUSE
WASHINGTON

June 21, 1948.

Memo for Honorable Clark Clifford:

If you do see Bart Crum I
hope you will have read this letter
signed by Bart Crum and Paul O'Dwyer.
O'Dwyer is Mayor O'Dwyers's brother.



A handwritten signature in cursive script that reads "Dase".

DAVID K. NILES
Administrative Assistant
to the President

Mr. Files

Bart Crum

O'DWYER & BERNSTIEN

PAUL O'DWYER
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June 10th, 1948.

The President of the United States
Washington, D. C.



My dear Mr. President:

The Resolution of the General Assembly of the United Nations on November 29, 1947 for partition with economic union for Palestine was supported by the United States because it provided the most equitable solution for Palestine in view of the sharp tension between the Jewish people and the Arab peoples living there, created in no small measure by Britain as Mandatory.

That Resolution is still valid. It is still the only practicable compromise solution bringing a measure of justice to all the inhabitants of Palestine. Its fulfillment insofar as the Jewish people are concerned, was advanced by the establishment on May 15, 1948, of the Jewish state provided for therein. The Arab state, giving Palestinian Arabs equal independence, as well as the international regime for Jerusalem, are yet to be established. They await the withdrawal from Palestine of foreign Arab armies invading the country to divide it amongst themselves.

The actions of Arab states have violated the Resolution and the United Nations Charter itself.

Our Government must shoulder much of the responsibility for the present state of events in Palestine because of its failure in the period between February 18, 1948 and May 15, 1948 to take the necessary steps to implement the Resolution, and especially because of our imposition of an arms embargo on December 7, 1947.

Britain also, by its obstructionist tactics toward and refusal to cooperate with the United Nations Commission, by arming and training Arab troops, by violating its pledges to withdraw the Arab Legion by May 15, 1948, and by opposing the "cease fire" proposal of May 24, 1948, stands condemned as the chief instigator of the breach of peace that has occurred in Palestine. Britain's efforts to justify the invasion by Trans-Jordan are particularly shocking. When United States delegate Herschel Johnson, in August 1947 in connection with Greece, defined a threat to the peace as "giving support to armed bands....and going into the territory of another state....", (U.N. Weekly Bulletin - August 5, 1947) Britain gave full approval and support to the definition. Yet, Bevin, when asked if he considered Trans-Jordan's participation in the Palestine fighting an act of aggression, cynically replied "Certainly not. She has been invited to go into the territory by her fellow Arabs." (N.Y. Post - June 2, 1948)

Even Trygve Lie, Secretary General of the United Nations, found it necessary to warn Bevin that Britain's policy toward Palestine "might destroy the United Nations", and that in his opinion, "Britain could do much to end the war in the Holy Land".

The State of Israel, recognized now by ten nations, is a fact. Its continued existence as a sovereign and independent nation must not be interfered with or infringed upon.

Support for Israel strengthens the United Nations and restores the hope of the world that it will continue to be a world force for peace and justice, whose decisions cannot be set aside by aggression.

Arab rejection of the "cease fire" order of May 24, 1948 brought further appeasement of aggression in the form of Britain's truce proposal of May 29, 1948 instead of punitive action by the Security Council. This truce proposal was but one further step by Britain in its support of Arab aggression against Israel and Arab violation of the United Nations Charter. Small wonder then, as reported in the New York Times, that the Arab states were "delighted" by the proposal. (May 29, 1948)

We set forth without comment the following from the New York Times: "Complete silence on Israel's acceptance of the truce proposal was maintained by the United States delegation whose lack of expressed opposition to the British "cease fire" resolution was one of the key factors in the approval of it by the Security Council last Saturday." (June 2, 1948)

The British truce proposal, although adopted by the Council in a modified form on May 29, 1948 and accepted by Israel on June 1, 1948, must be condemned. It treats equally Arab aggressors and Israeli defenders. It permits Arab aggressors to maintain military positions achieved as a direct result of their aggression, yet it limits Israel in its efforts to secure the arms needed to repel these aggressive acts. The truce freezes the initial advantage in military equipment enjoyed by the Arabs, created in great part by our own arms embargo and the constant flow of arms to the Arabs from Britain.

In the very act of acceptance of the truce proposal, the Arab states committed a further threat to the peace by coupling their acceptance with a specific refusal to respect the independence and integrity of Israel. For they openly declared that at the end of the truce period aggression will commence again and that the peace will be ended unless Israel's independence is terminated. "We will never under any circumstances accept a Jewish state", declared Abdullah on June 2, 1948. The King of Egypt made a similar statement, while Jemal El Hussein, cousin of the Mufti and Vice-Chairman of the Arab Higher Committee stated bluntly at Lake Success that the truce would "only delay matters one month" unless Israel agreed to dissolve. "We will fight against the existence of the Jewish state and we will

not waiver in this fight", he declared. (New York Post - June 2, 1948)

The Security Council must, therefore, take immediate steps to determine the specific non-military sanctions under the Charter it will invoke against the Arabs if they break the truce or resort to warlike measures again at the expiration of the truce. The Council must call upon all member nations to adhere to these measures. The Council will thus be ready to act at once. Failure to do this now opens the door to more delay and more encouragement to aggressors. These non-military sanctions provided for in Article 41 of the Charter, include complete or partial interruption of economic relations and of railroad, sea, air, coastal, telegraphic, radio or other means of communication, and the severance of diplomatic relations.

That Trans-Jordan is not a member of the United Nations organization does not free it from the consequences of its acts, nor exempt it from Security Council action. Article 2, paragraph 6 of the Charter provides that "the organization shall ensure that states which are not member states of the United Nations act in accordance with these principles so far as may be necessary for the maintenance of the peace and security." Ambassador Austin took the same position in June, 1947, in connection with the Balkan report: "The Council must treat alike all states using force against the territorial integrity of another - whether they are members of the United Nations or not."

We must be alert that the truce is not used in an attempt again to weaken or abandon the Partition Resolution, or to substitute for it any trusteeship, federalization or cantonization proposal that would destroy the existence of Israel as an independent state.

The record of the United States on Palestine is good in words but not in deeds.

Arms are still being withheld from Israel.

No effective measures are being taken to prevent passengers from being taken off and cargoes from being confiscated from American ships.

It is time for us to act as well as to speak in support of the United Nations and Israel. Therefore, we call upon our President, our State Department, our Congress and our Delegation to the United Nations immediately to do the following:


- a) Accord de jure recognition of Israel, enter into diplomatic relations with it, and extend economic assistance to it.

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- b) Take appropriate action against Lebanon and Egypt in respect to their acts against American ships, cargoes and passengers in violation of international law.
- c) Discipline those officials of the executive departments of the United States Government who have endeavored to frustrate the United Nations Resolution of November 29, 1947.
- d) That Congress immediately investigate the extent to which American funds have facilitated British action in arming and financing Arab aggressors, and take measures to prevent any further economic aid from the United States to Britain from being so used.
- e) That our Delegation to the United Nations move in the Security Council the immediate adoption of non-military sanctions, to be applied at once in the event of further aggression against Israel.

Very truly yours,

LAWYERS COMMITTEE FOR JUSTICE IN PALESTINE


Bartley Crum
Bartley Crum
National Chairman

Paul O'Dwyer
Paul O'Dwyer
New York City Chairman